

**HEARING DATE AND TIME:**  
**RESPONSE DEADLINE:**

November 10, 2010 at 10:00 a.m. (Eastern Time)  
October 27, 2010 at 4:00 p.m. (Eastern Time)

Allan Freedman, Esq.  
1415 Queen Ann Road, Suite 203  
Teaneck, NJ 07666  
Telephone: 212-765-9528  
Facsimile: 201-692-1500

*Attorneys for Boilermaker-Blacksmith National Pension Trust Fund*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**Chapter 11**

**LEHMAN BROTHERS HOLDINGS INC., et al.**

**Case No. 08-13555 (JMP)**

**Debtors.**

**Jointly Administered**

**In re:**

**STRUCTURED ASSET SECURITIES CORPORATION,**

**Case No. 09-10558**

**Debtor**

**Claim No. 9817**

**RESPONSE OF BOILERMAKER-BLACKSMITH NATIONAL  
PENSION TRUST FUND TO DEBTORS' FORTY-SIXTH  
OMNIBUS OBJECTION TO CLAIMS (NO DEBTOR CLAIMS)**

Boilermaker-Blacksmith National Pension Trust Fund (the "Creditor") hereby responds and states its opposition to the Forty-Sixth Omnibus Objection to Claims (No Debtor Claims), dated September 24, 2010 (the "Objection") [Dkt. No. 11584], filed by Lehman Brothers Holdings Inc. ("LBHI") and its affiliated debtors (collectively, the "Debtors") with the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court") with respect to Claim No. 9817.

FILED  
U.S. BANKRUPTCY COURT  
S.D. OF N.Y.  
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2010

### **BACKGROUND**

1. The Objection requests that the Bankruptcy Court expunge, reduce, reclassify and/or disallow the claim identified in the table below (the "Claim") on the basis that the Claim violates the procedures and deadlines for filing proofs of claims in these chapter 11 cases (the "Bar Date Order") [Dkt. No. 4271], as the Claim was filed without specifying a case number or a debtor against whom the claim was asserted.

<b>Creditor Name and Address:</b>	<b>Claim Number:</b>	9817
Boilermaker-Blacksmith National Pension Trust Fund 756 Minnesota Ave. Kansas City, KS 66101	<b>Date Filed:</b>	August 31, 2009
	<b>Debtor:</b>	Structured Asset Securities Corporation <i>Case No. 09-10558</i>
	<b>Classification and Amount:</b>	Unsecured \$684,508.00

2. Notice of the Objection in respect to the Claim (the "Notice") was given to the Creditor setting forth a procedure and deadline for objecting to the Debtors' request to disallow and expunge the Claim.

3. Accordingly, this response to the Objection is hereby filed with the Bankruptcy Court, setting forth the information required by the Notice as follows.

4. Creditor is also filing with the Court an Amended Proof of Claim setting forth the specific case number and debtor against whom the claim was asserted.

### **RESPONSE**

1. **Name of the Creditor and Description of the Basis for the Amount of the Claim.**

5. The Creditor is Boilermaker-Blacksmith National Pension Trust Fund. The Creditor purchased 684,508 shares issued by Structured Asset Securities Corporation.

**2. Statement Setting Forth the Reasons Why the Claim Should Not Be Disallowed or Expunged.**

6. The Creditor timely filed a Proof of Claim with this Court but mistakenly failed to include the name of the Debtor and the Case Number of the Debtor.

7. Creditor has set forth herein the name of the Debtor and the Case Number of the Debtor. Moreover, once its mistake was pointed out, the Creditor filed an Amended Proof of Claim setting forth the name of the Debtor as well as the Case Number. As a result, any alleged defect in the Proof of Claim has now been cured.

8. The Creditor respectfully requests that the Bankruptcy Court afford the Creditor the opportunity to pursue its claim without it being disallowed or expunged. The Creditor respectfully submits that its actions in connection with the filing of the claim were in good faith.

**3. Documentation Evidencing the Claim.**

9. Documentation evidencing the claim was attached to both the original Proof of Claim and the Amended Proof of Claim.

**4. Address(es) to which the Debtors Must Return any Reply to this Response.**

10. Any reply should be addressed to the below:

Allan Freedman, Esq.  
1415 Queen Ann Road, Suite 203  
Teaneck, NJ 07666  
Telephone: (212) 765-9528  
Facsimile: (201) 692-1500  
Email: [tnk10@aol.com](mailto:tnk10@aol.com)  
Local Counsel to Creditor

Kurt S. Brack, Esq.  
Holbrook & Osborn, P.A.  
Commerce Plaza II  
7400 W. 110<sup>th</sup> Street, Suite 600  
Overland Park, KS 66210  
Telephone: (913) 342-2500  
Facsimile: (913) 342-0603  
Email: [Kbrack@holbrookosborn.com](mailto:Kbrack@holbrookosborn.com)  
Counsel to Creditor


5. **Name, Address and Telephone Number of the Person Possessing Ultimate Authority to Deal with the Claim.**

11. The person possessing ultimate authority to deal with the Claim is:

Thomas Johnson  
Brotherhood Bank & Trust  
Custodian for Boilermaker-Blacksmith National Pension Trust Fund  
756 Minnesota Ave.  
Kansas City, KS 66101  
Telephone: (913) 321-4242

Respectfully submitted by the undersigned local counsel to the Creditor.

Dated: New York, New York  
October 26, 2010

  
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/s/ Allan Freedman  
Allan Freedman, Esq.

1415 Queen Ann Road, Suite 203  
Teaneck, NJ 07666  
Telephone: (212) 765-9528  
Facsimile: (201) 692-1500

*Local Counsel for Boilermaker-Blacksmith National Pension Trust*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing was [~~electronically~~] filed this 26th day of October 2010 and sent to:

Honorable James M. Peck  
Bankruptcy Court Judge  
1 Bowling Green  
New York, New York, 10014

Weil Gotshal and Manges, LLP  
Attn: Shai Waisman, Esq.  
767 5<sup>th</sup> Avenue  
New York, New York, 10153  
*Attorneys for Debtor*

Office of the United States Trustee  
for the Southern District of New York  
Attn: Andy Balez-Rivera, Esq.  
Paul Schwartzverg, Esq.  
Brian Masumoto, Esq.  
Linda Riffkin, Esq.  
Tracy Hope Davis, Esq.  
33 Whitehall Street, 21<sup>st</sup> Street  
New York, New York 10004  
*Trustee*

Milbank, Tweed, Hadley and McCloy, LLP  
Attn: Dennis F. Dunne, Esq.  
Dennis O'Donnell, Esq.  
Evan Fleck, Esq.  
1 Chase Manhattan Plaza  
New York, New York, 10005  
*Attorneys for unsecured creditors committee*



/s/ Allan Freedman

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ALLAN FREEDMAN, ESQ.